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PANEL TWO: PUBLIC POLICY AND AWARENESS
Elder Justice Coordinating Council 10-11-2012

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ELDER JUSTICE COORDINATING COUNCIL

Panel Two: Public Policy and Awareness

Kay Brown

Hillery Tumba

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Renaissance Hotel
999 Ninth Street, NW
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Capital Reporting Company

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1 next panel. So we've got videos, two short videos?

2 Okay.

3 (Showing videos.)

4 MS. GREENLEE: Some of these videos are
5 really just kind of depressing and not uplifting.

6 (Laughter.)

7 MS. GREENLEE: So, yeah, that's why we're
8 here. So thank you all for your commitment. And when
9 I look at the first woman, it's like we're all here
10 because we just love these old people. I mean, that
11 we're all here because we see these victims and it just
12 breaks our hearts.

13 Speakers Panel: Public Policy and Awareness

14 MS. GREENLEE: So let's move to the next
15 panel. Let me tell you about the group at the front.
16 This is a little bit of a medley relay today for the
17 agencies. So I want to continue to show that we have
18 broad support on this coalition, but you'll see people
19 come and go. We sometimes have other agency staff in
20 the room even they're not at the front. Tony West will
21 be joining us about 2:00. I know Treasury is supposed
22 to leave -- had to leave. So we have more kind of feds

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1 among you out there as well as some people here. Our
2 goal today, of course, is to capture all this
3 information and be able to share it so that people who
4 weren't here for the afternoon get the benefit of your
5 testimony.

6 I was very pleased with the morning, and I
7 just want to encourage the rest of the panelists to
8 keep talking because I think this is what's been so
9 helpful.

10 So let me introduce our next panel. We're
11 going to talk about "Public Policy and Awareness." And
12 we've got four fine people here.

13 Kay Brown, who is the Director of Education,
14 Workforce, and Income Security at the U.S. Government
15 Accountability Office.

16 Hillery Tsumba, who is the Director of
17 Reingold, Incorporated.

18 Bob Blancato, who is the National Coordinator
19 for the Elder Justice Coalition.

20 And Marie-Therese "MT" Connolly, Senior
21 Scholar at the Woodrow Wilson International Center for
22 Scholars.

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1 We're going to start with Kay Brown.

2 And, Kay, I haven't seen you, I think, since
3 we did a field hearing with Senator Blumenthal. The
4 report you're about to discuss I have also discussed
5 widely, and I call it my "business card." We took that
6 seriously, so I'm glad to hear from you because we want
7 to keep about the task. So I turn it over to you.

8 MS. BROWN: We've seen pictures of you
9 holding our report, and it warms our heart.

10 (Laughter.)

11 MS. BROWN: Thank you so much. I am
12 delighted to be here today to summarize GAO's work on
13 elder justice. Over the past 8 years, GAO has issued a
14 series of reports on protections for older adults. We
15 have surveyed area agencies on aging, state adult
16 protective services, visited many states and
17 localities, reviewed credible research, and, of course,
18 met with many of you or your staff and others in this
19 room. And I want to say thank you to all of you who
20 were so helpful to us.

21 The bottom line? We found that the systems
22 in place to protect older adults are struggling now and

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1 may not be able to meet the increased demand for
2 services in the future. Now, of course, states are
3 primarily responsible for protecting older residents.
4 However, the Older Americans Act and the Elder Justice
5 Act have both established a clear federal role in this
6 area, and we have identified a number of key issues
7 that require federal attention if the nation is to
8 strengthen its response to elder abuse.

9 First, human service agencies at all levels
10 of government need to better understand the nature and
11 the extent of the problem. They need better data on
12 the types of abuse, the characteristics of the victim
13 and perpetrator, the interventions tried, and the
14 outcomes of these efforts. State officials and other
15 experts told us these data would help them better
16 target their efforts and lay the foundation for a more
17 informed response.

18 While some state administrative data systems
19 are outdated or incomplete, we know that this can be
20 done based on the experience with child protective
21 service data systems. It takes time, and progress may
22 vary from state to state, but GAO has made several

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1 recommendations to HHS to help kick-start this process.

2 Next, state and local agencies also need to
3 know more about what works. Local APS workers told us
4 their cases are becoming more complex and not enough is
5 known about what interventions make a difference. They
6 struggle to develop their own solutions, particularly
7 when cases involve multiple forms of abuse. Carefully
8 planned research and meaningful performance measures
9 can help identify effective approaches, and then this
10 information must be disseminated so it reaches the end
11 user. GAO has recommended that HHS establish a
12 national resource center, and HHS has already started
13 this process last September.

14 Third, states and locals need help improving
15 collaboration among local agencies. Elder abuse is a
16 multifaceted problem requiring various agencies with
17 different cultures and missions to work together to
18 assure success. On our site visits, we learned that
19 collaboration among adult protective services, law
20 enforcement, prosecutors, and financial institutions is
21 uneven, and this impedes their response. Use of
22 multidisciplinary teams is a best practice that has

1 potential for improved outcomes, and service providers
2 told us they need help with how to form them and how to
3 sustain them.

4 Fourth, courts needs support in screening and
5 monitoring the guardians they appoint. We have talked
6 about how many guardians faithfully carry out their
7 duties in the best interests of their wards, but we
8 know from our work that in some cases guardians have
9 stolen assets and neglected or abused their wards.
10 Without thorough screening procedures, unscrupulous
11 guardians may be appointed, yet many states do not
12 require criminal background checks for guardians.
13 Further, without timely monitoring, abuse and
14 exploitation may continue sometimes for years.

15 Some courts have begun to adopt changes, but
16 progress is slow. We recently recommended that HHS
17 fund evaluations of pilot projects to improve court
18 monitoring of guardians.

19 GAO has also identified gaps in information
20 sharing among federal agencies with fiduciary programs
21 and among federal agencies and state courts. We have
22 gone on record in the past encouraging SSA to take

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1 steps so its staff can make certain information
2 available to state courts upon request. For example,
3 courts may find it useful to know whether an SSA rep
4 payee has misused benefits in the past, especially if
5 the court is considering that person as a potential
6 guardian.

7 Now, at the time that we issued this report,
8 SSA told us they did not believe they had authority to
9 do this, however, based on what I've heard this
10 morning, I'm feeling a little bit more optimistic about
11 that.

12 Finally, making the public aware of what
13 elder abuse looks like and how to report it is key to
14 prevention efforts. State and local agencies told us
15 they devote their scarce resources to detecting and
16 responding to elder abuse with little time or resources
17 left for public education, particularly when they're
18 not sure what works best in public awareness campaigns.
19 The federal government is well positioned to lead a
20 national effort in this area.

21 Before I close, I know I mentioned a number
22 of recommendations that we've made to HHS, so if any of

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1 you are feeling left out, take heart, we're releasing a
2 report on financial exploitation in November, and it's
3 likely that we'll have recommendations for a number of
4 other agencies in that.

5 (Laughter.)

6 MS. BROWN: In closing, you've already heard
7 about the various steps that agencies have taken
8 already. However, taken as a whole, federal efforts
9 have been fragmented, relatively small in scale, and
10 have had a limited impact on the elder justice field.
11 We are on record saying more leadership is needed, and
12 this Council is an important step in the right
13 direction.

14 Based on our work, there seems to be the
15 right combination of agencies represented in the room
16 today to work together toward a more coordinated
17 federal effort that addresses the most critical
18 priorities, is mutually reinforcing, and makes the most
19 effective and efficient use of scarce resources.

20 Thank you.

21 MS. GREENLEE: Thank you, Kay. That was
22 really funny and one of the most optimistic statements

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1 I've ever heard someone say, about our agency would
2 feel bad if we were left out of a GAO report.

3 (Laughter.)

4 MS. GREENLEE: I'm sure, I just was very
5 optimistic. So thank you. Thank you. We look forward
6 to being able to engage in some questions and answers
7 with you.

8 Hillery, let me turn it over to you. Hillery
9 Tsumba.

10 MS. TSUMBA: Thank you, and thank you,
11 council members for the opportunity to speak to you
12 today. My name is Hillery Tsumba, and I'm a director
13 at Reingold, which is a communications firm that
14 specializes in social marketing, which is
15 communications focused on changing people's behavior,
16 and I'm thrilled to be going after Kay, as she set the
17 stage for me to talk about public awareness on this
18 issue.

19 Research tells us that the public really does
20 not know the extent of the problem of elder abuse, and,
21 frankly, it's such a disturbing issue that the public
22 doesn't want to know about it, but without that

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1 knowledge and understanding, people cannot act to
2 protect their family members, their neighbors, or even
3 themselves from potential abuse. The urgency is, of
4 course, growing as the baby-boomers age.

5 From October 2009 through August 2010, I
6 managed a market research effort to determine the
7 feasibility of a campaign addressing elder abuse, and
8 the findings were clear. There is a strong need for a
9 coordinated national campaign addressing this issue
10 with clear and consistent messaging to educate the
11 public about elder abuse. A strategic and multifaceted
12 campaign including media relations, public service
13 announcements, online tools and information, and
14 community partnerships will help raise awareness and
15 improve understanding of this complex issue.

16 Here's what a campaign could accomplish.

17 Number one, it will provide people with
18 accurate information about what elder abuse is in all
19 its forms -- physical, emotional neglect, and financial
20 exploitation. It will show people where the abuse
21 happens and teach them how to recognize it.

22 Number two, it will show people that elder

1 justice is relevant to them. Many people think that
2 elder abuse is a private matter or, "None of my
3 business," but it is everyone's business, and we need
4 to connect the dots and show people, "This is how it's
5 relevant to you. This is why you should care about
6 this issue."

7 Number three, it will reduce the stigma of
8 victimization and let people who are abused know that
9 it is not their fault. And we know this is critical
10 because the individuals who are abused are often
11 reluctant to report it because they feel ashamed or
12 embarrassed.

13 And number four, it will fight ageism with
14 messages that strengthen a system of values where older
15 adults are respected and appreciated.

16 With that in mind, there are challenges that
17 a communications campaign would face, but these
18 challenges are not insurmountable. And as Kay
19 mentioned, campaigns addressing related issues such as
20 child abuse and domestic violence faced similar
21 challenges when they first began their work, but they
22 have effected significant social change, and we can

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1 learn from that experience and apply those lessons to a
2 campaign addressing elder abuse.

3 Elder abuse is a complex issue, and it can
4 get to the stage where people close to the issue can't
5 see the forest for the trees. So public education
6 campaigns needs to step back and simplify the messages
7 following the social marketing model of first raising
8 awareness. People need to know the problem exists, and
9 right now they don't.

10 Then improving understanding. Once they know
11 there is a problem, people need to understand what it
12 is, where it happens, and definitions or risk factors
13 of the types of information that could be shared at
14 this stage.

15 And, finally, inviting people to act. Once
16 people understand the problem, they can begin to
17 respond to it.

18 The time is right to roll out a multifaceted
19 communications campaign to raise awareness of elder
20 abuse. The interest is there among community-based
21 partners to join this effort and although there are
22 real challenges to consider, a thoughtfully designed

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1 public education campaign that capitalizes on the
2 interested partners is feasible and necessary. Now, of
3 course, such a campaign is just one piece of the
4 puzzle, but it is a critical piece because without it,
5 the issue will remain distorted and misunderstood by
6 the public.

7 Thank you for this opportunity, and I thank
8 you for your consideration of my remarks.

9 MS. GREENLEE: Thank you very much.

10 We'll go to Bob and MT next, but I think
11 before the two of you speak, we should just recognize
12 that you worked for a decade and you were two of the
13 primary leaders to pass the Elder Justice Act, and we
14 just would all like to thank you for being here but
15 also for --

16 (Applause.)

17 MR. BLANCATO: Thank you very much for that
18 nice testimonial. We appreciate that. MT and I did
19 labor in the vineyards, but there are many people in
20 this room who did as well. And I'm here as the
21 National Coordinator of the Elder Justice Coalition,
22 which I've proudly been since 2003, and we are a

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1 nonpartisan 3,000-member coalition dedicated to
2 advancing elder justice policy at the federal level.
3 And we applaud the first meeting of this Coordinating
4 Council; it's most welcome.

5 We worked closely with the Senate and the
6 House in developing a language to establish this
7 Council and the rest of the Elder Justice Act, which is
8 all about developing a comprehensive and coordinated
9 federal response to the growing problems of elder
10 abuse, neglect, and exploitation in America. This
11 includes better coordination among different federal
12 agencies to promote elder justice and prevent elder
13 abuse. And this morning I have learned a lot, as
14 everybody has who has been here, about the extent to
15 which there are activities already going on, which I
16 think is welcome.

17 First, I would like to address issues related
18 to leveraging national partners to address elder
19 mistreatment. There have been key relationships
20 established between this administration and national
21 partners, most recently the partnership for the
22 historic observation in the White House of World Elder

1 Abuse Awareness Day earlier this year. It involved
2 both private and nonprofit partners, including our
3 Coalition.

4 In addition, the composition of the National
5 Center on Elder Abuse provides another good example of
6 a unique multidisciplinary consortium of equal partners
7 with expertise in elder abuse, neglect, and
8 exploitation. Some of those partners are national
9 organizations.

10 The naming of the Elder Justice Act Advisory
11 Board and its 27 members from different sectors will
12 inevitably lead to new and expanded partnerships
13 including an exchange of information and ideas. The
14 combined work of this Council and the Advisory Board
15 can lead to an enhanced national elder justice strategy
16 which should ultimately be the basis of a public-
17 private partnership of commitment.

18 It would also make sense to break the topic
19 of elder abuse down and determine which sectors are or
20 should be involved in prevention and work to identify
21 and cultivate national partners in the solution. This
22 could include the medical, law enforcement, financial

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1 sector, faith-based communities, information solution
2 companies, elder lawyers, organized labor, and more.

3 In addition, an inventory should be done to
4 determine and compile all activities of national
5 entities currently involved in elder prevention work
6 and help that leverage new partnerships.

7 I would like to address how the federal
8 government can bring national attention to the issue
9 and again foster better public and private partnerships
10 to achieve the same goal. Certainly the convening of
11 this Council is one important step. In blunt terms --
12 and this is no surprise to the advocates -- federal
13 government leadership has been sorely lacking in the
14 area of elder abuse prevention. It was the reason why
15 an Elder Justice Act was first proposed and later
16 became law. This administration has turned that lack
17 of leadership around, but more lies ahead. It is about
18 both resources and resourcefulness and also advocacy.

19 We need to fund and finish the implementation
20 of the Elder Justice Act. As was noted earlier, we
21 need to pass the reauthorization of the Older Americans
22 Act, the Violence Against Women Act, and the Elder

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1 Abuse Victims Act, and other important legislation.

2 Among all the federal agencies represented
3 here today, aren't there sufficient resources, if
4 coordinated, to take the lead in embarking on a robust
5 public education and awareness campaign on elder abuse
6 prevention? Materials exist. The National Center on
7 Elder Abuse and Skip's office and CFPB are good
8 examples that can be built onto.

9 One very straightforward idea would be to
10 include a set of standardized tips on how to prevent
11 elder abuse, especially financial abuse, on every
12 federal agency website, including those of members of
13 Congress. We would add parenthetically that our Elder
14 Justice Coalition and others are willing and able to be
15 a distribution channel for educational materials and
16 public awareness activities.

17 In terms of identifying gaps in the short
18 term that can have immediate and practical action
19 implications, one of these has to be data collection.
20 In this greatest and most technologically advanced
21 nation in the world, why is there such an inability to
22 collect accurate incidence data on elder abuse? An

1 investment needs to be made in improving data
2 collection. It is another example of a public-private
3 partnership waiting to happen.

4 In the archives of ASPE there was a report
5 produced several years ago that was called for in the
6 original Elder Justice Act which addressed issues
7 related to how to do better data collection. That
8 playbook should be dusted off and brought back to life.

9 Another gap that most certainly needs to be
10 addressed is the unevenness of the country's numerous
11 and diverse authorities who investigate elder abuse.
12 One immediate step that can be implemented and is
13 called for in the Elder Justice Act would be to
14 designate a home for APS, and, in turn, vest it with
15 greater responsibility and resources to coordinate the
16 response to elder abuse. In addition, stronger
17 alignment between APS and the law enforcement community
18 at the national, state, and local level must be
19 advanced.

20 As Hillery has just mentioned -- it's almost
21 like we were collaborating here --

22 (Laughter.)

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1 MS. GREENLEE: That's a hopeful sign.

2 MR. BLANCATO: It is. That's right.

3 (Laughter.)

4 MR. BLANCATO: Working with the media, social
5 media, the entertainment, and advertising industries,
6 aren't there more resourceful ways to get a message to
7 the American public about how we can all stop elder
8 abuse? This Council should include collaborations with
9 those inside and outside of government who have worked
10 with success in the child abuse and domestic violence
11 prevention world especially around messaging, raising
12 public awareness, and, yes, raising outrage about these
13 problems.

14 In conclusion, we laud the convening of this
15 Council, but we say do not become too much of a
16 "Washington-based only" entity. The federal government
17 has an absolutely key responsibility to take the lead
18 in developing an elder justice strategy based on
19 coordination, yet, as you well know, much of the work
20 on the ground that is done in the fight against elder
21 abuse is done at the state and local level.

22 There are hundreds of coalitions, alliances,

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1 and committees across our nation working to prevent
2 elder abuse. Recently, these coalitions were
3 established under the leadership of the National
4 Committee for the Prevention of Elder Abuse in
5 locations that never had one but had a growing elder
6 abuse problem. We should be learning more about and
7 from these local initiatives as part of the Council's
8 work and its eventual recommendations.

9 As this Council continues its important work,
10 I expect you will conclude that it is not about
11 reinventing the wheel but rather redirecting it. Elder
12 abuse prevention is a shared responsibility. Having
13 the federal government take more responsibility is a
14 step that is long overdue. We wish you success in your
15 work and we hope you will continue to utilize us as a
16 resource.

17 Thank you.

18 MS. GREENLEE: Thank you very much, Bob.

19 (Applause.)

20 MS. GREENLEE: MT.

21 MS. CONNOLLY: Thank you for inviting me to
22 testify at this historic first meeting of the

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1 Coordinating Council. My task today is to discuss how
2 we might incorporate elder justice measures into
3 ongoing federal activities. These recommendations are
4 modest, cost-effective steps that could have a huge
5 impact on the lives of millions of older Americans and
6 those who love them.

7 Elder justice is a team sport. Elder abuse's
8 multifaceted nature makes federal coordination
9 essential, but ongoing federal programs, as has been
10 said, too often give short shrift to elder justice. As
11 pointed out by Kay, the GAO and Kathy's business card
12 and other documents, there is a lot to be done here
13 both in terms of leadership and coordination. But it
14 also could have a profound impact.

15 Kathy Greenlee likes to -- well, let me say
16 Kathy Greenlee, who has been such a fabulous --

17 MS. GREENLEE: Thank you.

18 MS. CONNOLLY: -- advocate for this issue --

19 (Laughter.)

20 MS. CONNOLLY: -- likes to give speeches in
21 which she challenges her audiences to do one thing,
22 just do one thing in the next year. So I would like to

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1 take a page from Kathy's playbook and turn it back on
2 the member agencies of this Council to say just do one
3 thing in the next year.

4 My white paper has additional specifics, but
5 I'm going to run through a few examples.

6 CDC should address elder abuse in its
7 violence and injury surveillance and prevention
8 efforts.

9 The DOJ-led financial fraud enforcement task
10 force should incorporate elder financial exploitation
11 as a focus of its work with its state and local
12 partners.

13 The National Institute on Aging should issue
14 a funding opportunity announcement that specifies elder
15 abuse as a priority topic.

16 CFPB economists -- we know you've got a lot
17 of big brains over there -- should be measuring the
18 cost of and developing better ways to prevent financial
19 exploitation.

20 DOJ should step up its worthless services and
21 financial exploitation cases.

22 The Postal Service should be working to

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1 identify the relevant and useful repositories of data
2 so we can better leverage them in these cases.

3 The Department of Labor should promote fair
4 labor standards for in-home caregivers and training to
5 prevent and address elder abuse.

6 The Department of Housing and Urban
7 Development should assure that people victimized or at
8 risk for elder abuse have priority access to affordable
9 housing and shelter.

10 The FTC should develop consumer protection
11 programs designed for people with diminishing capacity
12 and for consumers of long-term care regardless of the
13 setting and particularly where there is no Medicare or
14 Medicaid involved because that gives other federal
15 hooks.

16 The Office of Violence Against Women, the
17 Office for Victims of Crime, and the Family Violence
18 Prevention and Services Offices should incorporate the
19 needs of older victims in all of their domestic
20 violence, sexual assault, and other victim assistance
21 programs.

22 The Veterans Administration should expand its

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1 very helpful research showing the benefits of house
2 calls to examine whether those same house calls might
3 also prevent elder abuse.

4 The Civil Rights Division, the Office of
5 Civil Rights, and the National Institute for Minority
6 Health and Disparities should address findings that
7 African Americans live in worse nursing homes than
8 whites, that they're victimized by financial
9 exploitation more than twice as often, and that Latinos
10 are victimized by all forms of elder abuse at roughly
11 four times the rate of whites.

12 The Social Security Administration should
13 step up -- it's very helpful to hear about the pilot.
14 It would be very interesting to see a measurement of
15 rep payee fraud, beginning to get a handle on the
16 extent of the problem, and what kinds of pilot programs
17 work.

18 ASPE, along with AOA, should leverage the
19 exciting prevention grants that the Secretary announced
20 this morning as a springboard to begin the much needed
21 process of collecting elder abuse data with the
22 National Coordinator and others.

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1 The National Institute of Justice should fund
2 more research to illuminate forensic markers and
3 effective justice system interventions.

4 The Bureau of Justice statistics should
5 broaden its data collection efforts, building on a
6 small pilot that it has in King County that you'll hear
7 more about in a bit from Page Ulrey.

8 The Department of Treasury should modify the
9 FinCEN to include a box to check for elder abuse, as we
10 heard this morning, and also to work with its 21-agency
11 brain trust to get a better handle on how we coordinate
12 the efforts that are going to be in part led by this
13 Council, but it sounds like that would provide a good
14 inroad, too.

15 CMS should development reimbursement policies
16 that promote prevention, offer priority waivers for
17 victims, and screen for elder abuse in its wellness
18 visits.

19 The Substance Abuse and Mental Health
20 Administration and the National Institutes of Mental
21 Health, Drug Abuse, and Alcohol Abuse and Alcoholism
22 should incorporate elder abuse concerns in their mental

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1 health and substance abuse programs and research,
2 especially because practitioners on the ground tell us
3 that mental health and substance abuse problems are
4 present in most elder abuse cases.

5 We need the Administration on Aging to
6 incorporate elder justice measures into the Aging
7 Network, Caregiving, and ADRC programs.

8 And we need discussion. As the discussion
9 this morning made clear -- and Ms. Koide's remarks from
10 the Department of Treasury -- we need collaboration of
11 myriad agencies on research and knowledge dissemination
12 questions, and particularly about what prevention
13 measures work and what interventions work.

14 And who should we be targeting? We've had a
15 lot of talk about awareness, but we need to know who
16 we're targeting and how to fashion the message so that
17 they can hear it and so it makes a difference. Is it
18 the older person? Is it the younger people who love
19 them? Is it a planning message? There are so many
20 different options, and before we start ramping up on
21 the awareness programs, we need to know how to do it
22 right. So I think that's something that clearly a lot

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1 of agencies have a lot to bring to the table on in
2 terms of the research in that area.

3 And then also how to disseminate accurate
4 information. We have some information now, but we
5 don't do a very good job of disseminating it. That's a
6 really important federal role.

7 And also to support and disseminate
8 information about innovative approaches like
9 multidisciplinary forensic teams and to evaluate their
10 efficacy.

11 And then, as Mr. Smocer alluded to this
12 morning, one of the most bedeviling issues underlying
13 much of elder abuse is how you balance protection and
14 safety on the one side and autonomy and freedom and the
15 right to make -- you know, the right we have, as
16 Americans, to make really stupid decisions, and how do
17 we balance those? And that comes up again and again
18 and again. And as Chuck and I were discussing at the
19 break, it isn't so much that we want to target age,
20 it's that we want to target diminishing capacity; age
21 is really just a proxy for that. But how do we do
22 that? And really just need to be a lot smarter about

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1 how we do that.

2 One way that's been effective in accelerating
3 progress is to designate a point person on elder
4 justice in both the Secretary and the AG's offices,
5 someone with agency-wide reach who can ensure both
6 inter and intra-agency pressure and coordination. So
7 that is another recommendation to consider because when
8 agency heads convey to staff and the public and to
9 other agencies that they care about an issue and want
10 to see action, action happens.

11 On a personal level, it's really quite
12 amazing to see this Council that Lauren Fuller and I
13 imagined more than 10 years ago in March and April of
14 2002 while working on the Elder Justice Act come to
15 life. It has taken a growing bipartisan village to get
16 where we are, to get to this point today, and hopefully
17 the village will continue to grow.

18 And back on the theme of do one thing, I
19 think the most significant one thing that this Council
20 can do to promote elder justice is to assure that
21 ongoing strategic and coordinated leadership because in
22 the end it's going to be this Council's shared setting

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1 of goals and shared accountability to your sister
2 agencies, to Congress, and to those of us in this room
3 today and the public for realizing those goals as well
4 as the regular staff meeting and consistent leadership
5 by you that will yield change.

6 We have coordinated spectacularly to lengthen
7 life, now it's time to turn our efforts to improving
8 well-being in the time we've gained.

9 Thank you.

10 MS. GREENLEE: Thank you, MT.

11 (Applause.)

12 MS. GREENLEE: Bob and MT both referred to
13 ASPE. I just might, for the group, tell them that's
14 the Assistant Secretary for Planning and Evaluation,
15 the Department of Health and Human Services. So our
16 data people and our policy people.

17 MS. CONNOLLY: Sorry.

18 MS. GREENLEE: No, that's okay.

19 MR. BLANCATO: We're both guilty, right?

20 MS. GREENLEE: Yeah, you both. ASPE, I want
21 to bring them into the loop.

22 I'm going to open it up for questions from

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1 the panel. So I don't know if anybody -- why don't I
2 turn over here. Do either of you have questions?

3 MR. HUMPHREY: I have at least one. I'm
4 glad, Marie-Therese, that you only had one thing from
5 each of the agencies.

6 (Laughter.)

7 MR. HUMPHREY: If we could just do one of the
8 things that you talked about.

9 But I guess your point is well taken about
10 the problem of diminished capacity over a period of
11 time as people age. Could you flush that out a little
12 bit more as to who you think should be involved
13 directly in that? I mean, obviously we're interested
14 in looking at it from a financial transaction point of
15 view.

16 MS. CONNOLLY: I mean, I think all agencies
17 that are trying to mount prevention campaigns need to
18 be aware of it, but we need a research initiative to
19 say, what do we know today, and what do we not know,
20 and what do we need to know to be effective in terms of
21 awareness building, in terms of interventions, in terms
22 of prevention programs? And so I think it's a two-part

1 kind of thing.

2 And Kathy and I were having this conversation
3 last week. Diminished capacity isn't a "lights on,
4 lights out" kind of phenomenon. You know, with
5 developmental disabilities, it's a more clear audience,
6 but maybe when they're entering into that power of
7 attorney there is full capacity, but then things
8 change, and some days are better than other days.
9 You'll hear from colleagues who know a lot more about
10 this than I do. So I think it's a much more difficult
11 issue to get at.

12 That said, we do know that among people 85
13 and older, the fastest growing segment of the
14 population, about half of them have some degree of
15 diminished capacity. And so I think it's a research
16 question initially, sort of a taking stock question,
17 then a targeting strategic research initiative, and
18 then deploying what it is that we know.

19 MR. BLANCATO: Right. And can I just add one
20 thing to that? And that is -- and I think we've
21 learned this all through this elder justice process --
22 we've got to start with a definition. Let's begin with

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1 some definitions. There are a lot of terms that are
2 tossed around that people in this room may know, and
3 advocates, but we've reached a point where we need to
4 understand what it is we're talking about. What is
5 diminished capacity? And research can help you get
6 there, come up with a common term.

7 If you read the Elder Justice Act, the
8 definition section took forever to do because there
9 were so many things to put in there. But it's very
10 important to start there so that at least -- also in
11 building public awareness and education. People need
12 to know what the terms are that you are seeking to
13 raise awareness about.

14 MS. GREENLEE: Anything else down here?
15 Chuck?

16 MR. HARWOOD: Yeah. Well, let me start with
17 one question. I'm going to put you on the spot, MT.
18 You listed a number of things that -- many things
19 actually --

20 (Laughter.)

21 MR. HARWOOD: -- that you would like agencies
22 to do, and I'm grateful for that. I wonder if you have

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1 any thoughts about what the private sector should do.
2 What kinds of things can they do to -- or we talked
3 about some of that this morning, but further thoughts
4 on that?

5 MS. CONNOLLY: Well, I mean, I think the
6 Financial Services Roundtable has really stepped up and
7 I think is going to be a really increasingly important
8 partner in this effort. I mean, I think those of us
9 who are in the sort of non-profit advocacy world, you
10 know, we need to ramp up our efforts, too.

11 MR. HARWOOD: And that would include
12 nonprofit with the private sector, yeah, when you were
13 just --

14 MS. CONNOLLY: I'm sorry?

15 MR. HARWOOD: Nonprofit as well, exactly.

16 MS. CONNOLLY: Yeah. I mean, I think we
17 haven't done as good a job as we can or should either,
18 largely for some of the same reasons, because it's
19 fragmented, it's under-resourced, and because it's not
20 an issue that a lot of the sort of more traditional
21 aging entities that want to portray the more positive
22 aspects of aging really want to take on, and for some

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1 understandable reasons and some maybe less

2 understandable reasons.

3 So I think that we need to figure out how to
4 ramp up the advocacy on the outside as well and welcome
5 that kind of partnership. And then I think also we
6 need to get -- I mean, one of the reasons that, Skip,
7 the recommendation for you is to get a handle on the
8 cost because some of the initial data that's coming out
9 is that it has a huge impact on businesses, on
10 families, and also on caregivers.

11 I mean, Mark Lachs, who you'll hear from
12 later, did research indicating that basically it tips
13 over. If it doesn't outright kill you, then it really
14 reduces independence, so that you either are going into
15 long-term care facilities, going into the hospital, or
16 dependent on family members, and so that has sort of
17 this ripple effect on other caregivers and has a
18 financial as well as a health toll on not only the
19 victim but those around them and on Medicare and
20 Medicaid. And so I think as we get a better handle on
21 what the cost is of the problem -- and that's why it's
22 so important -- that we're going to get other people

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1 who want to be invested because they're going to
2 understand more what their stake is in the game. Did I
3 answer your question?

4 MR. HARWOOD: Somewhere in there, yeah, there
5 was an answer in there somewhere.

6 (Laughter.)

7 MS. CONNOLLY: Bob will answer the rest of
8 it.

9 (Laughter.)

10 MR. HARWOOD: Anyone else, thoughts on what
11 the private sector and nonprofits can do in partnership
12 with us?

13 MR. BLANCATO: Kay, go ahead, please.

14 MS. BROWN: Well, I was just going to mention
15 that I heard several times this morning people talk
16 about how important banks and financial institutions
17 are in screening and being able to identify if they had
18 the right warning signs, be able to identify the kinds
19 of exploitation before it gets out of control.

20 MR. BLANCATO: I suspect there are a number
21 of different approaches to the answer to that. I mean,
22 if somebody could figure out what the business

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1 opportunity is in being associated with elder abuse
2 prevention, then you would probably have a lot more
3 people jumping on board.

4 But there is also the ethical side of this
5 question, which I think ultimately may be a decisive
6 factor in why more private entities could get involved,
7 the whole concept of doing well by doing good and
8 getting involved in this thing. But they, too, will
9 need some guidance from those who are involved in the
10 field, and that's why I think building the kind of
11 partnerships that this Council has the potential of
12 being a catalyst toward because I think there is a lot
13 of interest out there, there is a growing amount of
14 attention on this issue, but it needs to be sort of put
15 into some kind of coordinated fashion, and I think
16 you'll see more response going forward.

17 MR. HARWOOD: Yeah, that's a good one.

18 MS. TSUMBA: Moving from the private sector
19 area into the nonprofits and community-based
20 associations, in our research, we spoke to several
21 organizations and found that there is a lot of interest
22 in partnering with an effort addressing elder abuse,

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1 but many of the organizations need to know what that
2 partnership would look like. So people are looking for
3 the tools and the materials already in existence to be
4 provided to them that they would then hand out as a
5 conduit to all of their audiences and the
6 constituencies that they serve, but there definitely is
7 that interest among community-based organizations.

8 MS. GREENLEE: Stacy?

9 MS. RODGERS: Thank you. There are really
10 two parts to my question or thought. We will
11 definitely take the recommendation back about the
12 measurement of the incidence of exploitation within the
13 Rep Payee Program, but I want to look or ask about your
14 thoughts on the broader population because, as you
15 know, we serve 50 million people a month, and that
16 number is growing. Our rep payee component is very
17 small when you look at 50 million people.

18 I would like to know what, MT and Bob, what
19 your thoughts are when we go back to the communication
20 piece that Kay mentioned about the GAO report because
21 this communication piece is coming up for all of us
22 because those who are exploited outside of the Rep

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1 Payee Program, how do we tap into that particularly as
2 our face-to-face contact, SSA's face-to-face contact,
3 diminishes? Your thoughts about this communication
4 piece. Where do we go?

5 MR. BLANCATO: Well, first of all, Stacy --
6 and I know that your Deputy Commissioner --

7 MS. RODGERS: Yes.

8 MR. BLANCATO: -- Carolyn, has been doing
9 wonderful work around the country raising some of same
10 themes. And I think your second part of the question
11 is the interesting part, as your face-to-face contact
12 diminishes, but there is still contact between your
13 agency and older people and their families, and it
14 seems to me that whatever remaining communicating
15 messages there may be, annual earnings statement,
16 whatever it may be that you're communicating to people,
17 have a message in there of some kind that deals with
18 elder abuse prevention, you know, warnings, tips, you
19 know, because people -- I mean, Social Security is a
20 big issue for a lot of people. As they get older and
21 they start thinking about looking for the future, they
22 should be able to think this forward. So I think

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1 whatever remaining communication tools you have should
2 include some kind of message that is engrained in
3 anything you do with your customers.

4 MS. GREENLEE: Now that you've met Stacy, can
5 I introduce her?

6 (Laughter.)

7 MS. GREENLEE: Stacy Rogers, obviously here
8 from Social Security Administration. She's a Senior
9 Advisor to Deputy Commissioner Carolyn Colvin.
10 Commissioner Colvin has been very involved in our work,
11 was with us at the White House in June, and Stacy I
12 know from working on a closer level. I think Stacy is
13 one of the key people at SSA that's helped us integrate
14 the work between the agencies and keep us moving
15 forward.

16 So I'm sorry I missed that. I'm glad you
17 started right in on questions.

18 MS. RODGERS: Thank you.

19 MS. GREENLEE: So you have more?

20 MS. RODGERS: Well, Kay, I wanted to come
21 back -- well, I'm sorry, MT was about to comment as
22 well.

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1 MS. GREENLEE: Yeah. I'm sorry.

2 MS. CONNOLLY: Well, I would like to agree
3 with Bob and just echo the importance of what you're
4 saying. I actually got a call this week from a woman
5 who does a lot of work in southern West Virginia in a
6 completely impoverished part of Appalachia where she
7 said they were doing community groups with older
8 people, and they kept raising safety as an issue. And
9 it turned out that the older people's Social Security
10 checks or income is the only income that these whole
11 family groups have, and as rates of OxyContin addiction
12 go up, they're being assaulted again and again for
13 those monies, and that it was just ubiquitous in this
14 community apparently, and she said, "What can I do?"
15 And so I thought it's a perfect example for this
16 Coordinating Council because it would involve the
17 Social Security Administration, the Department of
18 Justice, the Department of Health and Human Services,
19 and the Postal Service likely, you know, a number of
20 different agencies coming together to say, "How do we
21 address these issues?"

22 So, I mean, I think Bob's point is a really

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1 good one, but also the collaboration to say, okay,
2 we've identified a problem area, how do we deploy our
3 resources jointly?

4 MS. RODGERS: And if Carolyn was here, she
5 would say, "What gets measured get done," and things
6 get done through partnerships and relationships, and we
7 are definitely, definitely on board with Kathy and with
8 Skip in this area because I think Social Security was
9 sitting over here for a while looking at this more
10 transactionally in terms of money distribution, but you
11 cannot separate, from our perspective, financial
12 exploitation from elder abuse; it's integrated, because
13 abuse definitely follows money, I mean, it's
14 integrated, and helping to form that mindset about we
15 have to look at it from an integrated approach.

16 MS. GREENLEE: Kay, did you have a response?

17 Or you had a question for her. Okay.

18 MS. RODGERS: Kay, the question, I have goes
19 back to the GAO report because one of the things we
20 initially zeroed in on was this communication issue
21 both ways -- APS, us, states attorneys -- and how we
22 effectively do this because everyone around that circle

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1 needs to know. My question goes to your thoughts about
2 that communication strategy. The GAO report recommends
3 that we do it, but do you have further thoughts and
4 recommendations for us?

5 MS. BROWN: Well, maybe I should start first
6 with what we don't mean because I think when I hear the
7 number of individuals that you serve, we certainly
8 aren't thinking that you would be combing through those
9 millions of files or anything like that, nor are we, I
10 don't think, envisioning a long process of developing
11 routine use statements for data sharing with other
12 agencies. What we are thinking about is something a
13 little bit more practical, like while recipients of
14 Social Security aren't necessarily in the offices
15 anymore, the workers know if they have a rep payee and
16 having those communications on a local level with the
17 courts and the law enforcement are the places where I
18 think there is a nexus that could be very useful either
19 in identifying really guardians or rep payees that are
20 doing an excellent job and identifying those that
21 aren't and sharing that information.

22 And I think you're developing a database on

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1 complaints of guardians? Is that right? Considering
2 developing?

3 MS. RODGERS: That's not what the pilot is
4 about, but we are looking through all of our
5 authorities in terms of how we communicate information
6 when we find fraud on our side. It's important because
7 if fraud is happening on our side, more than likely
8 it's global, and we need to figure out how we
9 communicate that to protect the person and the
10 resources.

11 MS. BROWN: And we're sensitive to the issue
12 of privacy and how difficult that is to kind of work
13 your way through all the different thorny privacy laws.
14 And I'm encouraged, I'm excited to mention that we are
15 issuing a report in January on data sharing across
16 Human Services programs with a focus on privacy. So
17 we're trying to look for best practices and things
18 there that might be helpful, too.

19 MS. RODGERS: Thank you.

20 MR. BLANCATO: Just one more point, if I
21 could. You know, if you think about it -- and this
22 came up earlier today about child abuse and domestic

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1 violence, the uniqueness about the Social Security
2 Administration is that you run the largest children's
3 program in the country as it is, and it may be that
4 there had been some stuff that was done in the past on
5 child abuse that maybe could be used as we go forward,
6 and since you touch all ages. You are truly an
7 intergenerational agency in the federal government, and
8 the number of people you touch, you could be in a great
9 position to help reach more people with whatever the
10 awareness message turns out to be, but which is
11 important to know.

12 MS. RODGERS: Thank you.

13 MS. GREENLEE: So let me ask a final
14 question, and it's a big one. So if we did this, if we
15 did a national campaign, are we prepared to respond? I
16 mean, where will the pressure system move in next? I
17 mean, the solution to what you're asking is huge
18 because where do we go after everyone knows? Hillery?

19 MS. TSUMBA: That is a very, very big
20 question, and I think Kay mentioned that the response
21 system is strained, but one of the important things to
22 think about is that model of social marketing, which is

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1 awareness first, then understanding, then action, and
2 behavior change takes time. Certainly an effective
3 campaign will eventually lead to increased reports, but
4 that may not be the very first thing that happens.
5 First people need to understand and accept that this
6 problem exists.

7 I know today we've talked a lot about the
8 financial exploitation side of things, and that is an
9 area that more people in the public are able to digest,
10 but that's not the whole iceberg of what elder abuse
11 is, and the blinders are on to the rest of it. So we
12 need to teach people that that exists long before we
13 can start asking them to do the hard intervention of
14 making reports.

15 MR. BLANCATO: I would say two things. One
16 is if you combine an aggressive public awareness
17 campaign that produced activity and combined that with
18 data collection, then the action step would be we would
19 make a stronger case to elected officials about money.
20 I mean, it's all about being able to connect those
21 dots. I mean, if you're going to fund something, you
22 have to demonstrate there is a need to fund it.

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1 I think the outgrowth of a well-orchestrated
2 campaign combined with better data collection, you
3 could walk up and make a case about it, and even the
4 case that I know you care a lot about, which is the
5 potential cost savings to programs like Medicare and
6 Medicaid if you invest in elder abuse prevention, those
7 kinds of things will be the outgrowth to some degree,
8 but without doing it, you go up only half prepared to
9 argue the right way for money.

10 MS. TSUMBA: May I add one more thing? There
11 are also actions that we can ask people to take that
12 aren't necessarily reporting. We can ask people to
13 have their long-term care plan in place before they
14 need it. We can ask people to designate their powers
15 of attorney early and have discussions with their
16 family members about what their wishes are. We can ask
17 people to volunteer more with programs that would
18 reduce isolation for older adults, since we know that's
19 a risk factor. So going back again to the question of
20 the call to action, there are calls to action that we
21 can put in place that don't immediately strain the
22 system and may help the system as well.

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1 MS. GREENLEE: Okay. I think I will let you
2 go. Thank you all very much for your testimony.